

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

Case No.1:10-mc-27, 1:10-mc-28

.....

CHEVRON CORPORATION,)
)
Petitioner,)
Vs.)
)
CHARLES CHAMP,)
)
Respondent.)
_____)
)
RODRIGO PEREZ PALLARES; and)
RICARDO REIS VEIGA,)
)
Petitioner,)
)
Vs.)
)
CHARLES CHAMP,)
)
Respondent.)
_____)

.....

AFFIDAVIT OF SERVICE OF PROCESS

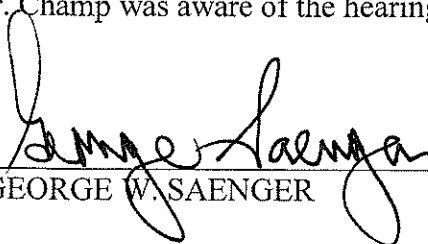
NOW COMES GEORGE W. SAENGER, counsel for the Petitioner

Chevron Corporation, and submits the following Affidavit of Service of Process:

1. Attached hereto is the Affidavit of Sherry Kerley, a person at least 18 years old and not a party.
2. On Friday, August 20, 2010 at approximately 3:40 P.M. according to Mrs. Kerley's Affidavit, she served a copy of the Notice of Hearing for August 27, 2010 at 10:00 A.M., Document 18, on Mrs. Champ, a person of

suitable age and discretion who resides in the residence of Mr. and Mrs. Champ at 29 Persimmon Lane, Asheville, North Carolina 28805.

3. Other efforts were made to serve Mr. Champ. On Thursday, August 19, 2010, I personally called the residence of Charles Champ at 828/296-9374. The answering machine answered, and I left the message that a copy of an Order had been taped to his door and that there was a hearing scheduled for August 27, 2010 at 10:00 A.M. in federal court in connection with the Chevron/Ecuador litigation.
4. I also mailed a copy of the Notice of Hearing and Order, certified mail, return receipt requested. The attached receipt was signed for by "Hunt" on August 20, 2010, a copy of which is attached hereto.
5. Finally, we sent a copy of the Order by Federal Express which was delivered at the home but no signed receipt was obtained by the Federal Express delivery person, as evidenced by the Proof of Delivery with corresponding air bill attached.
6. This Affidavit sets forth the efforts that the Petitioner Chevron has made to make sure Mr. Champ was aware of the hearing on Friday, August 27, 2010.

 (SEAL)
GEORGE W. SAENGER

SWORN TO AND SUBSCRIBED BEFORE ME, A NOTARY PUBLIC,

THIS THE 25 DAY OF AUGUST, 2010.


Sharon M. Bartlett, Notary Public

My Commission Expires: 1-11-2012



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> <i>W. W. Chase</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Mr. Charles Champ 29 Persimmon Lane Asheville NC 28805</p>		<p>B. Received by (Printed Name) <i>Hunt</i></p>	<p>C. Date of Delivery 8-20-10</p>
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>7009 2820 0002 1211 5158</p>	
<p>PS Form 3811, February 2004</p>		<p>Domestic Return Receipt 102595-02-M-1540</p>	



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Enter tracking number

Detailed Results

Notifications

Tracking no.: 7989 6290 2395

Select time format: [12H](#) | [24H](#)[E-mail notifications](#)

Delivered



Delivered

Signed for by: Signature not required

Shipment Dates

Ship date ⓘ Aug 19, 2010

Delivery date ⓘ Aug 20, 2010 11:13 AM

Destination

ASHEVILLE, NC

[Proof of Delivery ⓘ](#)

Shipment Facts

[Help](#)

Service type	Priority Envelope	Delivered to	Residence
Weight	0.5 lbs./2 kg	Reference	10204

Shipment Travel History

[Help](#)

Select time zone: Local Scan Time

All shipment travel activity is displayed in local time for the location

Date/Time	Activity	Location	Details
Aug 20, 2010 11:13 AM	Delivered	ASHEVILLE, NC	Left at garage. Package delivered to recipient address - release authorized
Aug 20, 2010 9:30 AM	On FedEx vehicle for delivery	ASHEVILLE, NC	
Aug 20, 2010 8:35 AM	At local FedEx facility	ASHEVILLE, NC	
Aug 19, 2010 8:46 PM	Left FedEx origin facility	ASHEVILLE, NC	
Aug 19, 2010 6:29 PM	Picked up	ASHEVILLE, NC	
Aug 19, 2010 2:25 PM	Shipment information sent to FedEx		

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From: Origin ID: AVLA (828) 252-7381
Sherry Bartlett
AdamsHendonCarsonCrow&Saenger
72 Patton Avenue
Asheville, NC 28801



Ship Date: 19AUG10
ActWgt: 1.0 LB
CAD: 5390064/INET3060

Delivery Address Bar Code



Ref # 10204
Invoice #
PO #
Dept #

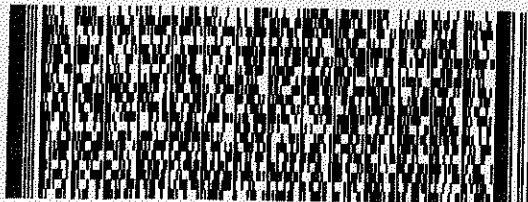
SHIP TO: (828) 296-9374

BILL SENDER

Mr. Charles Champ

29 PERSIMMON LN

ASHEVILLE, NC 28805



TRK# 7989 6290 2395
0201

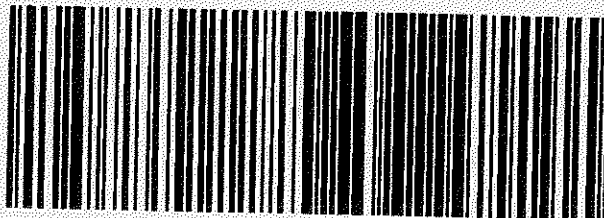
FRI - 20 AUG A5
PRIORITY OVERNIGHT
RES

28805

NC-US

GSP

27 AVLA



58804/32088A24

After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

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Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

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AFFIDAVIT OF SERVICE OF PROCESS

SHERRY KERLEY, being first duly sworn, deposes and says:

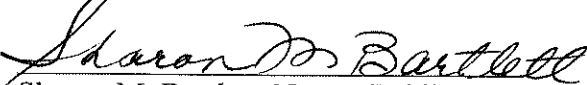
1. I am over the age of eighteen (18) and not a party to the two matters identified above.
2. On Thursday, August 19, 2010 at approximately 10:00 A.M., I personally drove to the residence of Mr. and Mrs. Charles Champ at 29 Persimmon Lane, Asheville, North Carolina. I rang the doorbell of 29 Persimmon Lane. I could hear the door chime inside the house. There was no answer. I rang the doorbell five minutes later and there was still no answer. I

noticed two cars in the driveway and could see that there were two dogs in the home. I left copies of the attached Order taped to the front door, the door going into the downstairs from the carport, and an additional copy in the mailbox for the home.

3. At approximately 1:30 P.M. on the same day, August 19, 2010, I returned to 29 Persimmon Lane and observed that the two sets of documents which I had previously taped to the front door and the door going to the downstairs from the carport were no longer taped to the doors, and the two cars I had seen earlier were no longer on the premises. No one answered the door.
4. On Friday, August 20, 2010, at approximately 3:40 P.M., I personally drove again to the home of Mr. and Mrs. Champ at 29 Persimmon Lane. I rang the doorbell, and a lady answered the door. I asked her if she was Mrs. Champ, and she replied "Yes". I then handed her a copy of the attached Order, Document 18, and told her I wanted to make sure she had received a copy of the Order. Mrs. Champ replied "What, another copy". I told her thank you and vacated the premises. Mrs. Champ appeared to me to be of suitable age and discretion who resides at the home with Mr. Champ and indicated to me she understood what it was that I was handing to her.

 (SEAL)
SHERRY KERLEY

SWORN TO AND SUBSCRIBED BEFORE ME, A NOTARY PUBLIC,
THIS THE 25 DAY OF AUGUST, 2010.


Sharon M. Bartlett, Notary Public

My Commission Expires: 1-11-2012

